

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AUORE SIMS,

Case No. 2:24-cv-00831-CDS-EJY

Plaintiff,

v.

ORDER

ASSIA SOUILY-LEFAVE; AROUND VEGAS,
LLC-1 DAY IN LAS VEGAS,

Defendants.

Pending before the Court is Plaintiff's Motion for Appointment of Counsel. ECF No. 86. As a general proposition, a civil litigant has no right to counsel. *Lassiter v. Department of Social Services of Durham County*, 452 U.S. 18 (1981); *Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981). A court may under "exceptional circumstances" appoint counsel for indigent civil litigants pursuant to 28 U.S.C. § 1915(e)(1). *Agyeman v. Corrs. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004), *cert. denied sub nom. Gerber v. Agyeman*, 545 U.S. 1128 (2005). When determining whether "exceptional circumstances" exist, a court must consider "the likelihood of success on the merits as well as the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved." *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). Here, Plaintiff fails to establish exceptional circumstances as the Court finds there is limited likelihood that she will be successful on the merits of her case. Further, while the Court is not unsympathetic to Plaintiff's health issues, "the Constitution does not require the elimination of all economic, intellectual, and technological barriers to litigation." *Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir. 1989).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel (ECF No. 86) is DENIED.

DATED this 3rd day of December, 2024.


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE